

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CHARLES THOMPSON,)	
)	
Movant,)	
)	
v.)	No. 4:23-cv-00350-HEA
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

OPINION, MEMORANDUM AND ORDER

This matter comes before the Court on its own motion. Movant Charles Thompson has submitted a motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255. (Docket No. 1). The signature page of the form motion has been left entirely blank. (Docket No. 1 at 12). Meanwhile, an apparent signature on an earlier page seems to have been scratched out. (Docket No. 1 at 11).

Under Federal Rule of Civil Procedure 11, every written pleading or motion must be signed “by a party personally if the party is unrepresented.” Fed. R. Civ. P. 11(a). The Court “must strike an unsigned paper unless the omission is promptly corrected after being called to the . . . party’s attention.” *Id.* In addition, Rule 2(b)(5) of the Rules Governing Section 2255 Proceedings for the United States District Courts specifically provides that a motion under 28 U.S.C. § 2255 must “be signed under penalty of perjury by the movant or by a person authorized to sign it for the movant.”

Because movant has not properly signed his 28 U.S.C. § 2255 motion, the Court will direct the Clerk of Court to return the motion to movant so that movant may sign it and return it to the Court for filing. Specifically, movant should sign and date the motion on the page of the Court-provided form marked “Page 13 of 13.” Movant can identify this page by looking at the numbers

in the lower right-hand corner of the page. He should sign his name on the line above the words “Signature of Movant.”

Movant will be given **thirty (30) days** in which to sign and return his motion. If movant fails to comply with this order within the allotted time period, the Court will dismiss this action without prejudice and without further notice.

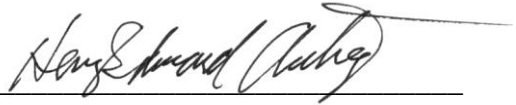
Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court shall return to movant his 28 U.S.C. § 2255 motion (Docket No. 1) so that it can be signed.

IT IS FURTHER ORDERED that movant shall sign the motion and return it to the Court within **thirty (30) days** of the date of this order.

IT IS FURTHER ORDERED that if movant fails to return the signed motion within **thirty (30) days** of the date of this order, the Court will dismiss this action without prejudice and without further notice.

Dated this 21st day of March, 2023.


HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE